

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

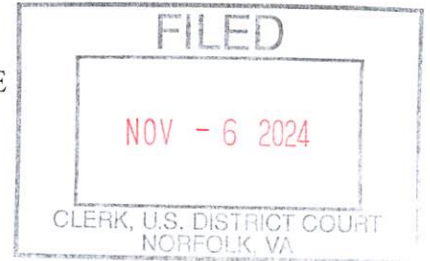
Norfolk Division

UNITED STATES OF AMERICA

v.

DARRYL DEAN GODFREY

Case No. 2:24-MJ- 177



AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT

I, Tony T. Bradley, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent ("SA") with the U.S. Department of Veterans Affairs ("VA"), Office of Inspector General ("VA-OIG"), and I have been so employed since June 2023. Prior to employment with VA-OIG, I was employed as an Industry Operations Investigator with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), from September 2015 to June 2023. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the Industry Operations Investigator Basic Training, both of which were held in Glynco, Georgia. I have also received additional training and experience in criminal investigations as a Military Police Officer in the United States Air Force. I have a bachelor's and a master's degree in criminal justice.

2. I am currently assigned to the VA-OIG Mid-Atlantic Field Office, Washington, District of Columbia. As such, part of my duties includes investigating crimes committed against programs and operations of the VA by employees and non-employees, as well as allegations of serious violations of policies and procedures by high-ranking members at the VA. These duties also include investigating matters related to persons who knowingly

and willingly commit criminal acts against the United States. As a law enforcement officer engaged in enforcing criminal laws, I am authorized to execute arrest warrants issued under the authority of the United States.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, witnesses, and agencies, as well as a review of records provided during this investigation. This affidavit is intended to show merely that there is sufficient probable cause for the requested criminal complaint and does not set forth all of my knowledge about this matter.

4. I submit this affidavit in support of a criminal complaint and arrest warrant charging DARRYL DEAN GODFREY ("GODFREY") with bank fraud and attempted bank fraud, in violation of 18 U.S.C. §§ 1344(1) & 1344(2). Specifically, on or about September 8, 2023, GODFREY deposited into his checking account at a federally insured financial institution an altered U.S. Treasury check in the amount of \$41,927.70, which falsely indicated that he was the authorized payee. From on or about September 12, 2023, until on or about September 27, 2023, approximately \$39,000 was withdrawn from GODFREY's bank account for which he was sole account holder. Therefore, there is probable cause to believe that GODFREY knowingly executed, or attempted to execute, a scheme or artifice to defraud a federally insured financial institution or to obtain any of the moneys, funds, credits, assets, securities, or other property owned by, or under the custody of, a federally insured financial institution by false or fraudulent pretenses, representations, or promises with the intent to defraud.

STATUTORY AUTHORITIES AND DEFINITIONS

5. At all times relevant to this investigation, VICTIM BANK 1 was a financial institution, which was federally insured by the National Credit Union Administration within the meaning of 18 U.S.C. § 20.

PROBABLE CAUSE

6. In October 2023, VA-OIG and VA Police Services opened an investigation into an altered/fictitious U.S. Treasury check that was deposited at VICTIM BANK 1 by an individual identified as GODFREY, a United States Army veteran. VICTIM BANK 1 is located in Hampton, Virginia, within the Eastern District of Virginia.

7. On or about September 8, 2023, GODFREY entered VICTIM BANK 1 to deposit a U.S. Treasury check in the amount of \$41,927.70. This check was made payable to GODFREY. A bank teller at VICTIM BANK 1 verified GODFREY's identity by reviewing his driver's license and deposited the check into his personal checking account. The entire amount deposited was not available immediately. Starting the next business day, approximately \$225 was available in GODFREY's account; approximately \$5,300 was available in his account on the second business day after the check was deposited; and approximately \$36,402.70 was available in his account on the seventh business day after the check was deposited.

8. Later in the afternoon on September 8, 2023, a bank manager at VICTIM BANK 1 deposited the check at BANK 2, located in Hampton Virginia, which was VICTIM BANK 1's daily deposit bank.

9. On or about September 27, 2023, VICTIM BANK 1 received in the mail a notice and a copy of the original check that was stamped "ALTERED/FICTICIOUS" from

BANK 2. The notice from BANK 2 stated that the check was returned because it was an “[a]ltered/[f]ictitious [i]tem.”

10. After learning that the check deposited by GODFREY was altered or fictitious, the bank manager at VICTIM BANK 1 (“VICTIM BANK 1 manager”) withdrew the remaining balance of \$2,807.64 from GODFREY’s checking account and applied it towards the amount that GODFREY owed VICTIM BANK 1.

11. Later that day, the VICTIM BANK 1 manager called GODFREY to inform him about the returned check. GODFREY stated that he received the check “from the pandemic.” VICTIM BANK 1 manager advised GODFREY to come to VICTIM BANK 1 the following day. GODFREY never returned to VICTIM BANK 1.

12. On or about October 15, 2023, the VICTIM BANK 1 manager mailed a letter to GODFREY’s residence, located in Norfolk, VA (the “Norfolk residence”), informing GODFREY that the check he had deposited on or about September 8, 2023, was returned as altered/fictitious. The letter also stated that GODFREY owed VICTIM BANK 1 approximately \$39,150.06, after it had applied the amount in his checking account toward the amount he owed and a fee for the returned check. VICTIM BANK 1 never received a response from GODFREY.

13. On or about November 29, 2023, I reviewed a transaction history report documenting the financial transactions in GODFREY’s checking account, which was provided by VICTIM BANK 1. According to that report, after GODFREY deposited the check in the amount of \$41,927.70 on or about September 8, 2023, the following withdrawals, which do not include ATM fees, were made from GODFREY’s account on or about the dates set forth below:

- September 12, 2023: \$2,000 from VICTIM BANK 1.
- September 14, 2023: \$3,500 from another credit union, located in Chesapeake, Virginia.
- September 20, 2023: \$5,000 from the same credit union, located in Chesapeake, Virginia.
- September 21, 2023: \$502 from the same credit union, located in Chesapeake, Virginia.
- September 21, 2023: \$25,000 from the same credit union, located in Chesapeake, Virginia.
- September 22, 2023: \$102 from the same credit union, located in Chesapeake, Virginia.
- September 22, 2023: \$402 from the same credit union, located in Chesapeake, Virginia.
- September 23, 2023: \$500 from another credit union, located in Virginia Beach, Virginia.
- September 24, 2023: \$500 from the same credit union, located in Virginia Beach, Virginia.
- September 25, 2023: \$500 from the same credit union, located in Virginia Beach, Virginia.
- September 26, 2023: \$500 from the same credit union, located in Virginia Beach, Virginia.
- September 27, 2023: \$500 from the same credit union, located in Virginia Beach, Virginia.

14. GODFREY was the sole account holder of the checking account from which the above amounts were withdrawn.

15. On or about December 21, 2023, VA-OIG agents contacted the U.S. Department of Treasury, Bureau of Fiscal Service, and verified that a check with the same: (1) issue date, (2) check symbol, (3) check serial number, and (4) dollar amount was issued by the U.S. Department of Treasury; however, the check was made payable to a Limited Liability Corporation located in San Diego, California, with no apparent connection to GODFREY.

CONCLUSION

16. Based on the foregoing, there is probable cause to believe that, on or about September 8, 2023, DARRYL DEAN GODFREY, did knowingly execute, or attempt to execute, a scheme or artifice to defraud VICTIM BANK 1, a federally insured financial institution, or to obtain any of the moneys, funds, credits, assets, securities, or other property owned by, or under the custody of, VICTIM BANK 1 by false or fraudulent pretenses, representations, or promises with the intent to defraud in violation of 18 U.S.C. §§ 1344(1) & 1344(2). Accordingly, I respectfully request that a criminal complaint be issued, along with an arrest warrant for DARRYL DEAN GODFREY

Respectfully Submitted,

TONY
BRADLEY

Digitally signed by
TONY BRADLEY
Date: 2024.11.06
15:09:21 -05'00'

Tony T. Bradley
Special Agent
U.S. Department of Veterans Affairs
Office of Inspector General - CID

Subscribed and attested to, in accordance with Rule 4.1(b)(2)(A), on November 6, 2024.



THE HONORABLE ROBERT J. KRASK
UNITED STATES MAGISTRATE JUDGE